

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

CASE NO.: 0:23-cv-61203-AHS

THE SMILEY COMPANY SPRL,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND  
UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE "A,"

Defendants.

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**DECLARATION OF RICHARD GUERRA IN SUPPORT OF  
PLAINTIFF'S MOTION FOR CLERK'S ENTRY OF DEFAULT**

I, Richard Guerra, declare and state as follows:

1. I am over 18 years of age and I have personal knowledge of the facts set forth herein. I make this declaration in support of Plaintiff's Motion for Entry of Clerk's Entry of Default. If called upon to do so, I could and would competently testify to the following facts set forth below.

2. I am an attorney duly licensed to practice before this Court, and I am counsel of record for Plaintiff, The Smiley Company SPRL ("Plaintiff").

3. On June 26, 2023, Plaintiff filed its Complaint [ECF No. 1] against Defendants, the Individuals, Partnerships, and Unincorporated Associations identified on Schedule "A" hereto (collectively, "Defendants").

4. On July 19, 2023, Defendants were served with the Summons and copies of the Complaint via electronic mail ("e-mail"). Defendants were also served via website posting

pursuant to the Court's Order authorizing alternate service of process. See Proof of Service [ECF No. 27]. No Defendants have filed responses to the Complaint, or otherwise appeared. Attached herewith as Schedule A, is a list of defaulting defendants consisting of all Defendants who have not been dismissed and have not filed a response to the Complaint (collectively, the "Defaulting Defendants").

5. The time allowed for Defaulting Defendants to respond to the Complaint has expired.

6. The Defaulting Defendants have not been granted an extension of time to respond to the Complaint, and no Defendant has requested such an extension.

7. The Defaulting Defendants have failed to answer or otherwise respond to the Complaint, or otherwise serve a copy of an Answer or other response upon Plaintiff's attorneys of record.

8. I am informed and believe none of the Defaulting Defendants are infants or incompetent persons, and, upon information and belief, the Servicemembers Civil Relief Act does not apply.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed the 21st day of September 2023.

/Richard Guerra/  
Richard Guerra